

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

DECLARATION

As the below named inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **Substituted benzimidazoles and their use for inducing apoptosis** the Specification of which

[X] is attached hereto

[] was filed on _____ as Application Serial No. _____

[] and was amended on _____ by amendment attached hereto.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to in this oath or declaration.

We acknowledge the duty to disclose all information known to us which is material to patentability as defined in Title 37, Code of Federal Regulations, 1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application No.	Country	Priority Claimed
04405082.1	Europe	yes

We hereby claim the benefit under Title 35, United States Code, 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, 112, we acknowledge the duty to disclose all information known to us to be material to patentability as defined in Title 37, Code of Federal Regulations, 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

none

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Please address all correspondence regarding this application to **Customer No. 26345**.

**Intellectual Property Docket Administrator
Gibbons, Del Deo, Dolan, Griffinger & Vecchione
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Telephone calls should be made to **William H. Epstein, Reg No. 20,008 at Gibbons, Del Deo, Dolan, Griffinger & Vecchione** at:

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Inventor's Signature: Martin Eberle

Date: 26/10/2005

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Full name of second inventor: Felix Bachmann

Inventor's Signature: Felix Bachmann

Date: 26/10/2005

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Full name of third inventor: Alessandro Strebler

Inventor's Signature: Alessandro Strebler

Date: 26/10/2005

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Full name of forth inventor: Subho Roy

Inventor's Signature: Subho Roy

Date: 07/10/2005

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Full name of fifth inventor: Sudhir Srivastava

Inventor's Signature: Sudhir Srivastava

Date: 07/10/2005

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Full name of sixth inventor: Goutam Saha

Inventor's Signature: Goutam Saha

Date: 07/10/2005

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